

4725-5-01 Solicitor, agent, etc.

The employing of any solicitor or agent for the purpose of securing patients or acting as a solicitor or agent in the referring of patients is prohibited.

Engaging in the division of fees for the referral of patients, or receiving of any article of value in return for a specific referral of a patient to utilize a particular service or business is prohibited.

The receipt of fees for actual services provided in the co-management of patients with a licensed physician or with a professional corporation as defined by the Revised Code is permitted.

Co-management schedule, guidelines and visits will be determined by consultation between the ~~surgeon-~~[licensed physician](#) and referring optometrist. The patient will be advised of the schedule of return visits and any guidelines to be followed.

The optometrist cannot accept payment from the referral entity, a licensed physician or a corporation, for pre-surgical visits or consultations. This helps to assure the neutrality of the consultation and any subsequent referral recommendations.

The only exchange of value permitted between the optometrist and the physician shall be payment for services actually performed. Payment must come from third-party payers, self-paid from the patient, or from a pre-existing agreement between the optometrist and physician that allows for break out fees for services provided when global compensation is involved. The optometrist must document sufficient information to describe the post-operative care rendered.

Any violation of this rule constitutes "dishonest and unprofessional conduct" as that phrase is used in section 4725.19 of the Revised Code.